



03-14-92 AP15 Rec'd PCT/PTO 12 MAR 2007 PCT

Express Mail No. EV 811 559 455 US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: Zeldis

Confirmation No. 6157

Application No.: 10/578,809 (U.S. National  
Stage of PCT/US2004/037084, filed November  
6, 2003)

Group Art Unit: TBA

Filed: November 4, 2004

Examiner: TBA

For: METHODS OF USING AND  
COMPOSITIONS COMPRISING A JNK  
INHIBITOR FOR THE TREATMENT  
AND MANAGEMENT OF ASBESTOS-  
RELATED DISEASES AND  
DISORDERS

Attorney Docket No.: 9516-186-999  
(CAM: 501872-999471)

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371 IN THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Commissioner for Patents  
Mail Stop PCT  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) ("Notification") mailed by the United States Patent and Trademark Office on January 12, 2007 in connection with the above-identified application, Applicants submit herewith an executed Declaration for Non-Provisional Patent Application, an executed Power of Attorney by Assignee and Exclusion of Inventor(s) Under 37 C.F.R. 371 with Statement Under 37 C.F.R. 3.73(b) (including a copy of an executed assignment), and a copy of the Notification.

Applicants further authorize payment of the total additional fees, estimated to be **\$130.00**, in accordance with the Notification. Please charge the required fees to Jones Day Deposit Account No. 50-3013. A copy of this sheet is enclosed for accounting purposes.

Respectfully submitted,

*Anthony M. Insogna, Reg. No. 35,203*  
*By: Mich J. Bruner, Reg. No. 47,458*

Date March 12, 2007

By: Michael J. Bruner (Reg. No. 47,458)

**JONES DAY**

222 East 41st Street

New York, New York 10017

(404) 518-8614

For: Anthony M. Insogna (Reg. No. 35,203)

**JONES DAY**

12265 El Camino Real, Suite 200

San Diego, California 92130

(858) 314-1130

03/16/2007 GFREY1 00000037 503013 10570009

01 FC:1617

130.00 DA



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

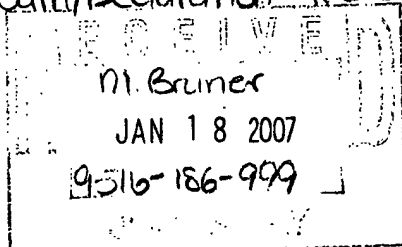
U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/578,809	Jerome B. Zeldis	9516-186-999

INTERNATIONAL APPLICATION NO.
-------------------------------

PCT/US04/37084

20583  
JONES DAY  
222 EAST 41ST ST  
NEW YORK, NY 10017

Oath/Declaration &amp; Fee 3/12/07



I.A. FILING DATE	PRIORITY DATE
11/04/2004	11/06/2003

CONFIRMATION NO. 6157

371 FORMALITIES LETTER



\*OC000000021973267\*

Date Mailed: 01/12/2007

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 05/04/2006
- Copy of the International Search Report filed on 05/04/2006
- Copy of IPE Report filed on 05/04/2006
- Preliminary Amendments filed on 05/04/2006
- Information Disclosure Statements filed on 07/20/2006
- Oath or Declaration filed on 05/04/2006
- Request for Immediate Examination filed on 05/04/2006
- U.S. Basic National Fees filed on 05/04/2006
- Specification filed on 05/04/2006
- Claims filed on 05/04/2006
- Abstracts filed on 05/04/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

WINSTON M ALVARADO

Telephone: (703) 308-9140 EXT 206

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/578,809	PCT/US04/37084	9516-186-999

FORM PCT/DO/EO/905 (371 Formalities Notice)